

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICARDO MARTINEZ,

Plaintiff,

v.

C. PFEIFFER, et al.,

Defendants.

Case No. 1:22-cv-00126-ADA-HBK (PC)

ORDER OF DISMISSAL FOR FAILURE TO
PAY FILING FEE

(ECF No. 13)

Plaintiff Ricardo Martinez is a state prisoner proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983. On September 7, 2022, the Court entered an order adopting the Findings and Recommendations finding Plaintiff is a three-striker under 28 U.S.C. § 1915(g). (ECF No. 13 at 1-2.) The order further found Plaintiff's complaint did not contain sufficient facts alleging imminent danger of serious physical harm. (*Id.* at 2.) The order directed Plaintiff pay the full filing fee within 30 days, if he wished to proceed with this case, or else the case would be dismissed. (*Id.*) As of the date on this order, Plaintiff has not paid the filing fee and the time to do so has expired. (*See* docket.)

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Accordingly, IT IS SO ORDERED:

1. Pursuant to the September 7, 2022, order (ECF No. 13), this case is DISMISSED without prejudice.
2. The Clerk of Court shall terminate any pending motions, enter judgment accordingly, and close this case.

IT IS SO ORDERED.

Dated: December 14, 2022


UNITED STATES DISTRICT JUDGE